

Fabrice T. P. SAFFRE  
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**Page 12, top of page, delete “CLAIMS” and insert the following heading:**

**WHAT IS CLAIMED IS:**

**AMENDMENTS TO THE CLAIMS:**

The following listing of claims supersedes all prior versions and listings of claims in this application:

1. (Currently Amended) A method of controlling access to a communications resource in which the maximum capacity made available to each of a plurality of users bears an inverse relationship to the usage of the resource made by that user over a previous period, relative to the usage made by the other users, said method comprising:

measuring the usage of the resource made by each user over a predetermined period,

ranking the users currently requiring access according to the measured usage relative to the other users; and

restricting the availability of resource to each user currently requiring access by applying a restriction factor to each user according to that user's ranking and the number of users currently requiring access.

2. Cancelled.

3. (Currently Amended) A method according to claim [2]] 1, in which the restriction factors allocated to adjacently ranked users differ by a ratio which is constant over all users.

4. (Currently Amended) A method according to claim [[2]] 1, in which the restriction factor allocated to the user having made the least usage over the previous period is unity.

5. (Currently Amended) Apparatus for controlling access to a communications resource having means for allocating capacity to each of a plurality of users in inverse relationship to the usage of the resource made by that user over a previous period, relative to the usage made by the other users, said apparatus comprising:

measuring means for measuring the usage of the resource made by each user over a predetermined period;

sorting means for ranking the connected users according to the measured usage relative to the other users;

calculation means for calculating a restriction factor for each user according to that user's ranking; and

access control means for making the resource available to each user to an extent determined by the restriction factor and the number of users currently requiring access.

6. Cancelled.

7. (Previously Presented) Apparatus according to claim 5, associated with a modem associated with a server controlling access to the internet.

8. (Previously Presented) Apparatus according to claim 5, associated with a switching system for controlling access to an internet service provider.

9. (New) A method according to claim 1 in which each user is given a unique ranking.

10. (New) Apparatus according to claim 5 in which the sorting means is arranged to give a unique ranking to each connected user.